

1 [Submitting Counsel on Signature Page]

2

3

4

5

6

7

8

9

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 People of the State of California, et al.

11 v.

12 Meta Platforms, Inc., Instagram, LLC, Meta
13 Payments, Inc., Meta Platforms Technologies,
LLC

14 -----
15 Office of the Attorney General, State of Florida,
Department of Legal Affairs

16 v.

17 Meta Platforms, Inc., Instagram, LLC., Meta
Payments, Inc.

18 -----
19 State of Montana, *ex rel.* Austin Knudsen, Attorney
General

20 v.

21 Meta Platforms, Inc., Instagram, LLC, Facebook
Holdings, LLC, Facebook Operations, LLC, Meta
22 Payments, Inc., Meta Platforms Technologies, LLC,
Siculus, Inc.

23 -----
24 IN RE: SOCIAL MEDIA ADOLESCENT
25 ADDICTION/PERSONAL INJURY PRODUCTS
LIABILITY LITIGATION

26 THIS DOCUMENT RELATES TO:

27 4:23-cv-05448; 4:23-cv-05885; 4:24-cv-00805

16 MDL No. 3047

17 Case No.: 4:23-cv-05448-YGR
4:23-cv-05885-YGR
4:24-cv-00805-YGR

18

19

20

21

22

23

24

25

26

27

28

**STATE ATTORNEYS GENERAL'S
THIRD ADMINISTRATIVE MOTION
FOR LEAVE TO FILE SUPPLEMENTAL
INFORMATION**

Judge: Hon. Yvonne Gonzalez Rogers

Magistrate Judge: Hon. Peter H. Kang

Under Civil Local Rule 7-11 and 7-3(d), the State Attorneys General (“State AGs”) submit this Third Administrative Motion for Leave to File Supplemental Information to bring to the Court’s attention additional relevant events occurring since the State AGs and Meta Platforms, Inc.; Instagram, LLC; Meta Payments, Inc.; and Meta Platforms Technologies, LLC (“Meta”) submitted their Joint Statement and Joint Supplemental Letter Brief Regarding State Agency Discovery, *see* Dkt. Nos. 685, 736, and since the Court heard oral argument on March 21, 2024 and May 6, 2024.

On July 24, 2024, the State AGs filed their Administrative Motion for Leave to File Supplemental Information, Dkt. No. 1031, alerting the Court that Meta had provided notice of its intent to serve subpoenas to 26 state agencies. On August 19, 2024, the State AGs filed their Second Administrative Motion for Leave to File Supplemental Information, Dkt. No. 1074, alerting the Court that Meta had subsequently provided notice of its intent to serve subpoenas on an additional 57 state agencies in states of State AGs whose enforcement actions are present in this multidistrict litigation. The State AGs’ Second Administrative motion also notified the Court that Meta had elected the same approach to discovery from state agencies in the Massachusetts Attorney General’s enforcement action in Massachusetts state court, *Commonwealth of Massachusetts v. Meta Platforms, Inc.*, Massachusetts Super. Ct. No. 2384CV02397-BLS1, issuing notice of its intent to serve third-party subpoenas on Massachusetts state entities. Since the filing of the State AGs’ Second Administrative Motion, Meta has provided notice of its intent to serve subpoenas on an additional 57 state agencies, bringing the total number of agencies targeted with subpoenas to 140 state entities to date.

Attached as Exhibit A is Meta’s August 28, 2024 Notice of Intent to Serve Subpoenas on 39 agencies. Attached as Exhibit B is Meta’s August 30, 2024 Notice of Intent to Serve Subpoenas on 18 agencies.

As with Meta’s prior subpoenas directed to state agencies, Meta’s subpoenas encompassed in this Administrative Motion differ from Meta’s earlier Requests for Production of Documents served on the State AGs which had purported to demand the State AGs produce documents in the possession of numerous state agencies, including these agencies. The subpoenas contain new requests directed to the agencies, while also repeating a subset of the prior Requests for Production of Documents.

Below is a list of each entity to which Meta has indicated it intends to issue a subpoena as of the date of this Motion, which encompass multiple entities in each of the 35 states of State AGs whose enforcement actions are consolidated in this multidistrict litigation. Meta previously identified each of the 140 entities as entities encompassed in the dispute regarding state agency discovery. *See* Dkt. 736-1. The entities are listed in order of Meta’s notices:

- California Department of Child Support Services;
 - California Department of Education;
 - California Mental Health Services Oversight and Accountability Commission;
 - Colorado Behavioral Health Administration;
 - Colorado Department of Education;
 - Kentucky Department for Behavioral Health, Developmental and Intellectual Disabilities;
 - Kentucky Department of Education;
 - New Jersey Department of Education;
 - New Jersey Department of Health;
 - New Jersey Governor's Council on Mental Health Stigma;
 - Georgia Department of Behavioral Health and Developmental Disabilities;
 - Georgia Department of Education;
 - Maine Department of Education;
 - Maine Department of Health & Human Services;
 - Maryland Center for School Safety;
 - Maryland Department of Human Services;
 - Arizona Department of Child Safety;
 - Arizona Department of Education;
 - Arizona Department of Health Services;
 - Idaho Department of Education;
 - Idaho Health & Welfare Department;
 - Commission on Improving the Status of Children in Indiana;

- 1 Indiana Department of Education;
- 2 Indiana Department of Health;
- 3 Louisiana Department of Education;
- 4 Louisiana Department of Health;
- 5 Connecticut Department of Education;
- 6 Connecticut Department of Mental Health and Addiction Services;
- 7 Florida Department of Education;
- 8 Florida Department of Health;
- 9 Hawaii Department of Education;
- 10 Hawaii State Council on Mental Health;
- 11 Illinois Board of Education;
- 12 Illinois Department of Human Services;
- 13 Illinois Department of Public Health;
- 14 Kansas Department for Children and Families;
- 15 Kansas Department of Education;
- 16 Kansas Department of Health & Environment;
- 17 Michigan Department of Education;
- 18 Michigan Department of Health & Human Services;
- 19 Minnesota Department of Education;
- 20 Minnesota Department of Human Services;
- 21 Missouri Department of Elementary and Secondary Education;
- 22 Missouri Department of Mental Health;
- 23 Nebraska Department of Education;
- 24 Nebraska Department of Health and Human Services;
- 25 New York Department of Education;
- 26 New York Office of Mental Health;
- 27 North Dakota Department of Health and Human Services;

- North Dakota Department of Public Instruction;
 - Ohio Department of Education & Workforce;
 - Ohio Department of Mental Health & Addiction Services;
 - Ohio Department of Higher Education;
 - Ohio Department of Health;
 - Montana Board of Public Education;
 - Montana Department of Public Health and Human Services;
 - North Carolina Department of Health and Human Services;
 - North Carolina Department of Public Instruction;
 - Oregon Department of Education;
 - Oregon Department of Human Services;
 - Rhode Island Department of Behavioral Healthcare, Developmental Disabilities and Hospitals;
 - Rhode Island Department of Education;
 - Rhode Island Department of Human Services;
 - South Carolina Department of Education;
 - South Carolina Department of Mental Health;
 - Wisconsin Office of Children's Mental Health;
 - Delaware Department of Education;
 - Delaware Department of Health and Social Services;
 - Pennsylvania Department of Education;
 - Pennsylvania Department of Human Services;
 - South Dakota Department of Education;
 - South Dakota Department of Social Services;
 - Virginia Department of Behavioral Health and Developmental Services;
 - Virginia Department of Education;
 - Virginia Foundation for Healthy Youth;
 - Washington Department of Children, Youth, and Families;

- Washington State Board of Education;
 - Washington State Department of Social and Health Services;
 - West Virginia Bureau for Children and Families;
 - West Virginia Department of Education;
 - Kentucky Board of Education;
 - Kentucky Cabinet for Health and Family Services;
 - Kentucky Department of Public Health;
 - Connecticut Department of Public Health;
 - Connecticut Commission for Educational Technology;
 - Florida Department of Children and Families;
 - Georgia Division of Family and Children Services;
 - Georgia Department of Human Services;
 - Georgia Board of Regents;
 - Georgia Department of Public Health;
 - Hawaii Department of Health;
 - Hawaii Department of Human Services;
 - Illinois Board of Higher Education;
 - Illinois Department of Children and Family Services;
 - Indiana Department of Child Services;
 - Indiana Family and Social Services Administration;
 - Indiana State Board of Education;
 - Kansas Board of Regents;
 - Louisiana Department of Children and Family Services;
 - Maryland Department of Health;
 - Maryland Higher Education Commission;
 - Maryland State Department of Education;
 - Michigan Department of Lifelong Education, Advancement, and Potential;

- Minnesota Department of Health;
 - Montana Office of the Commissioner of Higher Education;
 - Nebraska Children's Commission;
 - New Jersey Department of Children & Families;
 - New Jersey Department of Human Services;
 - New Jersey Office of the Secretary of Higher Education;
 - New York Department of Health;
 - New York Office of Children and Family Services;
 - New York Council on Children and Families;
 - North Dakota Education Standards and Practices Board;
 - Ohio Department of Children and Youth;
 - Ohio Department of Youth Services;
 - Oregon Health Authority;
 - Oregon Higher Education Coordinating Commission;
 - Rhode Island Board of Governors for Higher Education;
 - Rhode Island Department of Children, Youth, and Families;
 - Rhode Island Department of Health;
 - Rhode Island Executive Office of Health and Human Services;
 - Rhode Island Office of the Child Advocate;
 - Arizona Board of Regents;
 - Arizona State Board of Education;
 - California Department of Health Care Services;
 - California Department of Public Health;
 - California Health and Human Services Agency;
 - Idaho Education Board;
 - South Carolina Commission on Higher Education;
 - South Carolina Department of Children's Advocacy;

- South Carolina Department of Health and Human Services;
 - South Carolina Department of Social Services;
 - South Carolina Education Oversight Committee;
 - South Dakota Board of Regents;
 - South Dakota Department of Health;
 - Washington State Board of Health;
 - Washington State Department of Health;
 - Wisconsin Department of Children and Families;
 - Wisconsin Department of Health Services; and
 - Wisconsin Department of Public Instruction.

The State AGs seek to provide the supplemental information attached as Exhibits A and B to ensure a complete and accurate record.

The State AGs have consulted with counsel for Meta, which takes no position on the State AGs' filing of this Motion.

DATED: September 4, 2024

Respectfully submitted,

PHILIP J. WEISER
Attorney General
State of Colorado

/s/ Bianca E. Miyata
Bianca E. Miyata, CO Reg. No. 42012,
pro hac vice
Senior Assistant Attorney General
Lauren M. Dickey, CO Reg. No. 45773, *pro hac vice*
First Assistant Attorney General
Megan Paris Rundlet, CO Reg. No. 27474
Senior Assistant Solicitor General
Elizabeth Orem, CO Reg. No. 58309
Assistant Attorney General
Colorado Department of Law
Ralph L. Carr Judicial Center

1 Consumer Protection Section
2 1300 Broadway, 7th Floor
3 Denver, CO 80203
4 Phone: (720) 508-6651
bianca.miyata@coag.gov

5 *Attorneys for Plaintiff State of Colorado, ex rel.*
Philip J. Weiser, Attorney General

6 **ROB BONTA**
7 Attorney General
8 State of California

9 /s/ Megan O'Neill

10 Nicklas A. Akers (CA SBN 211222)
Senior Assistant Attorney General
11 Bernard Eskandari (SBN 244395)
Emily Kalanithi (SBN 256972)
Supervising Deputy Attorneys General
12 Nayha Arora (CA SBN 350467)
Megan O'Neill (CA SBN 343535)
Joshua Olszewski-Jubelirer
(CA SBN 336428)
Marissa Roy (CA SBN 318773)
Brendan Ruddy (CA SBN 297896)
Deputy Attorneys General
13 California Department of Justice
Office of the Attorney General
455 Golden Gate Ave., Suite 11000
14 San Francisco, CA 94102-7004
Phone: (415) 510-4400
Fax: (415) 703-5480
Megan.O'Neill@doj.ca.gov

15 *Attorneys for Plaintiff the People of the State of*
California

16 **RUSSELL COLEMAN**
17 Attorney General
Commonwealth of Kentucky

18 /s/ J. Christian Lewis

19 J. Christian Lewis (KY Bar No. 87109),
Pro hac vice
Philip Heleringer (KY Bar No. 96748),
Pro hac vice

1 Zachary Richards (KY Bar No. 99209),
2 *Pro hac vice app. forthcoming*
3 Daniel I. Keiser (KY Bar No. 100264),
4 *Pro hac vice*
5 Matthew Cocanougher (KY Bar No. 94292),
6 *Pro hac vice*
7 Assistant Attorneys General
8 1024 Capital Center Drive, Suite 200
9 Frankfort, KY 40601
10 CHRISTIAN.LEWIS@KY.GOV
11 PHILIP.HELERINGER@KY.GOV
12 ZACH.RICHARDS@KY.GOV
13 DANIEL.KEISER@KY.GOV
14 MATTHEW.COCANOUGHER@KY.GOV
15 Phone: (502) 696-5300
16 Fax: (502) 564-2698

17 *Attorneys for Plaintiff the Commonwealth of*
18 *Kentucky*

19 **MATTHEW J. PLATKIN**
20 Attorney General
21 State of New Jersey

22 /s/ Thomas Huynh
23 Kashif T. Chand (NJ Bar No. 016752008),
24 *Pro hac vice*
25 Section Chief, Deputy Attorney General
26 Thomas Huynh (NJ Bar No. 200942017),
27 *Pro hac vice*
28 Assistant Section Chief, Deputy Attorney
General
Verna J. Pradaxay (NJ Bar No. 335822021),
Pro hac vice
Mandy K. Wang (NJ Bar No. 373452021),
Pro hac vice
Deputy Attorneys General
New Jersey Office of the Attorney General,
Division of Law
124 Halsey Street, 5th Floor
Newark, NJ 07101
Tel: (973) 648-2052
Kashif.Chand@law.njoag.gov
Thomas.Huynh@law.njoag.gov
Verna.Pradaxay@law.njoag.gov
Mandy.Wang@law.njoag.gov

1
2 *Attorneys for Plaintiff New Jersey Division of*
3 *Consumer Affairs*
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTESTATION

I, Megan O'Neill, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: September 4, 2024

/s/ Megan O'Neill
MEGAN O'NEILL
Deputy Attorney General